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9 UNITED STATES BANKRUPTCY COURT
10 NORTHERN DISTRICT OF CALIFORNIA

11 In Re:

Case No. 25-10088 WJL

12 Kingsborough Atlas Tree Surgery, Inc.

Chapter 11

13 Debtor.

14 DECLARATION OF RICHARD
15 KINGSBOROUGH IN SUPPORT OF
16 MOTION FOR AUTHORITY TO SELL
17 PERSONAL PROPERTY

18 I, Richard Kingsborough, declare that my wife and I are the sole shareholders of
19 Kingsborough Atlas Tree Surgery, Inc, and that I am personally familiar with the statements in
20 this declaration. If called as a witness in these proceedings I could and would testify as follows.

21 In June of 2023, the Debtor entered an Asset Purchase Agreement with Anvil Builders
22 wherein the Debtor agreed to sell its entire business, commercial and residential tree service, to
23 Anvil Builders. As a term of the agreement I was hired by Anvil Builders to oversee all of the
24 utility, heavy commercial, residential, landscape and forest management divisions. In January of
25 2025 I was terminated. After my termination I entered discussions with Davey Tree Experts,
26 Canopy Investment and Bartlett Tree Experts for a position for myself and several key
27 employees. These discussions included my bringing the Debtor's customer list with me to
28 continue to service the customers I had worked with since the inception of the business. I elected
to go with Davey Tree Experts because, in addition to my salary, Davey Tree Experts agreed to

1 pay the Debtor \$200,000 for its customer list whereas neither Canopy Investment nor Bartlett
2 Tree Experts were interested in purchasing the customer list. In my view, the only reason the
3 customer list has any value is due to my involvement with Davey Tree Experts.

4 In addition to the offer to purchase the customer list, Davey Tree Experts agreed to
5 purchase the Debtor's telephone number, fictitious business name and website if I could deliver
6 these items to Davey Tree Experts. I have thus far not been able to do so.

7 After the initial hearing on the motion to approve the sale of the customer list, I instructed
8 our attorney to send out notice of the opportunity to purchase the Debtor's customer list to the
9 largest tree service companies in Northern California. To the best of my knowledge there has not
10 been any response.

11 I declare under penalty of perjury the foregoing is true and correct and that this
12 declaration was executed by me on May 20, 2025, at Santa Rosa, California.
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14
15 /s/ Richard Kingsborough

16 Richard Kingsborough
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